

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

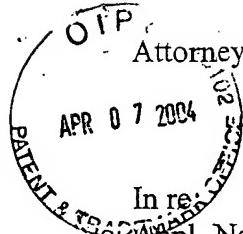
Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



Attorney's Docket No. 038190/268379

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Dwight A. Burford et al. Confirmation No.: 8066
Appl. No.: 10/706,480
Filed: October 27, 2003
For: SYSTEM AND ASSOCIATED FRICTION STIR WELDING (FSW)
ASSEMBLY, CONTROLLER AND METHOD FOR PERFORMING
A FRICTION STIR WELDING OPERATION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Petition To Grant Filing Date And To Refund Petition Fee

As set forth in MPEP §506.02, Applicant hereby petitions to grant the proper filing date of October 27, 2003 for the above-identified patent application. The following is enclosed as evidence of October 27, 2003 being the correct filing date under 37 CFR § 1.10:

1. A copy of the Cover Sheet for the Application showing the Express Mail Number and Certificate of Mailing under 37 CFR 1.10; and
2. A copy of the Express Mail Receipt marked by the United States Post Office as being mailed at 06:35:28 p.m. on October 27, 2003.

The Express Mail package contained a Petition for License for Foreign Filing (U.S. Patent Application Being Filed Concurrently) in addition to the application, drawings, Declaration, Assignment, Information Disclosure Statement and Request for Early Publication. A copy of our return postcard from the United States Patent Office shows that the entire contents of the Express Mail package was transferred to Licensing and Review.

Applicant also encloses a print-out of the search results from PAIR for application number 10/706,480. The File History indicates that the Request for Early Publication was entered on 10-27-03, and the application was scanned on 12-22-2003.

There is no error on the part of Applicant. Accordingly, Applicant respectfully requests the granting of October 27, 2003 as the filing date.

In re: Dwight A. Burford et al.
Appl. No.: 10/706,480
Filing Date: October 27, 2003
Page 2

A check in the amount of \$130.00 in payment of the petition fee as set forth in 37 CFR §1.17(i) is enclosed herewith. Any additional fee may be charged or any overpayment credited to our Deposit Account No. 16-0605. Because no defect existed, however, Applicant also respectfully requests refund of the petition fee.

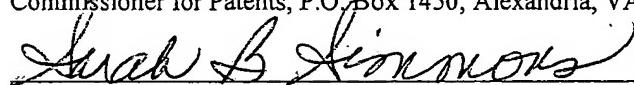
Respectfully submitted,


Andrew T. Spence
Registration No. 45,699

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV 331608995 US
Date of Deposit April 7, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Sarah B. Simmons
CLT01/4640717v1

UTILITY PATENT APPLICATION O I P E TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> 		Attorney Docket No. 038190/268379
		First Inventor Dwight A. Burford et al.
		Title SYSTEM AND ASSOCIATED FRICTION STIR (FSW) ASSEMBLY, CONTROLLER AND METHOD FOR PERFORMING A FRICTION STIR WELDING OPERATION
		Express Mail Label No. EV 331608718 US

ADDRESS TO: MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Dwight R. Burford, Edwin H. Fenn, Danny R. High, Robert M. Kay

Assignee of this invention is The Boeing Company, Chicago, Illinois.

1. The Filing Fee has been calculated as shown below:
2. Applicant claims Small Entity Status. See 37 CFR 1.27.

No. Filed	No. Extra	Small Entity Rate	Large Entity Rate	Fee 0	Fee 1
BASIC FEE		\$ 0			\$ 770
TOTAL CLAIMS:	20 - 20 = 0	X 9 = \$ 0	x 18 = \$ 0		
INDEP CLAIMS:	4 - 3 = 1	X 43 = \$ 0	x 86 = \$ 86		
[<input type="checkbox"/>] MULTIPLE DEPENDENT CLAIMS PRESENTED		+145 = \$	+290 = \$		
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL \$	TOTAL \$ 856		

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a. Fees required under 37 CFR 1.16 (National filing fees).
 - b. Fees required under 37 CFR 1.17 (National application processing fees) including any extension of time fees under 37 CFR § 1.136(a) that are required for consideration of papers filed during prosecution.
- A check in the amount of \$ 856.00 for the filing fee is enclosed.
- The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3. Specification; Total Pages 25
 4. 6. Sheets of Drawing(s) (35 USC 113)
 5. Declaration and Power of Attorney; [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
 6. Application Data Sheet. See 37 CFR 1.76
 7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. Computer Readable Copy (CRF)
 - b. Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
 - c. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper (Pages)
 - d. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
10. 37 CFR 3.73(b) Statement (*when there is an assignee*); Power of Attorney
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449; 1 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
 Foreign Priority is claimed as Application No. , filed
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB35 or its equivalent.
17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
18. If a CONTINUING APPLICATION, *check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:*
 Continuation Divisional Continuation in Part (CIP)

of prior Application No: ; Filed

Prior Application Information: Examiner

Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

CUSTOMER NUMBER 00826

Signature: Andrew T. Spence

Attorney/Agent of Record: Andrew T. Spence

Attorney/Agent Registration No. 45,699

Alston & Bird LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV 331608718 US

Date of Deposit October 27, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Sarah B. Simmons
Sarah B. Simmons
CLT014616221v1

EV331608718US

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date Mailed: 10-27-03

Atty. Dkt. No. 038190/268379

Kindly acknowledge receipt of the accompanying utility PATENT APPLICATION with Application Transmittal Cover Sheet for:

Inventor(s): Dwight R. Burford, Edwin H. Fenn, Danny R. High, Robert M. May

Title of Invention: SYSTEM AND ASSOCIATED FRICTION STIR (FSW) ASSEMBLY

CONTROLLER AND METHOD FOR PERFORMING A FRICTION STIR WELDING OPERATION

Pages of Spec. (including claims and abstract) 25; No. of Claims 20

No. of Drawing Sheets 6; Declaration Enclosed YES (3 pages); EDS with PTO

1449 Enclosed YES; (No. of 1449 Cites Enclosed 1); Assignment with Cover Sheet and \$40.00 Fee Enclosed YES

Other Documents: Request for Early Publication; Petition for License for Foreign Filing
Check(s) Enclosed \$856.00; \$300.00; \$130.00; \$40.00

Please place office stamp hereon and Return Postcard to : Sarah B. Simmons/ATS
ALSTON & BIRD LLP



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)
**PATENT APPLICATION INFORMATION RETRIEVAL**

PAIR	FAQ	Help	Feedback
----------------------	---------------------	----------------------	--------------------------

Other Links

E-Business Center Patents	Employee Location	Class/Subclass GAO Information	Information Contacts
---	-----------------------------------	--	--------------------------------------

Search results for application number:10/706,480

Application Number:	10/706,480	Customer Number:	826
Filing or 371(c) Date:	-	Status:	Application Undergoing Preexam Processing
Application Type:	Utility	Status Date:	11-18-2003
Examiner Name:	-	Location:	ELECTRONIC
Group Art Unit:	-	Location Date:	-
Confirmation Number:	8066	Earliest Publication No.:	-
Attorney Docket Number:	038190/268379	Earliest Publication Date:	-
Class/ Sub-Class:	-	Patent Number:	-
First Named Inventor:	Dwight Burford, Wichita, KS	Issue Date of Patent:	-
Title Of Invention:	System and associated friction stir (FSW) assembly, controller and method for performing a friction stir welding operation		

Select Search Option

File History

Number	Date	Contents Description
7	03-29-2004	Notice of Incomplete Application - Filing Date Not Assigned
6	10-27-2003	PGPubs early publication request
3	02-28-2004	Cleared by OIPE CSR
2	12-22-2003	IFW Scan & PACR Auto Security Review
1	10-27-2003	Initial Exam Team nn